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SUBJECT: GUINEA BISSAU: ANNUAL TRAFFICKING IN PERSONS REPORT

REF: 2008 SECSTATE 132759

SUMMARY

1. (SBU) Guinea-Bissau is a source of children trafficked for begging primarily in Senegal. Muslim Koranic teachers or their intermediaries convince parents to send children purportedly for a religious education. Those children are routinely beaten and subjected to harsh treatment; often their families never hear from them again. There are few statistics or reliable estimates on the scope of the problem. The GOGB has the political will to combat this issue and has instituted jail time for parents who collude with traffickers. Police are proactive in stopping traffickers and assisting victims. Lawmakers have drafted legislation that would prohibit all forms of trafficking in persons. An inter-ministerial committee is leading the effort to combat trafficking nationwide.

2. (SBU) Children have been required to beg for food and money to receive education from Koranic schools for generations. Some fathers and community leaders who send children away to learn to read the Koran experienced similar situations, although abuse appears to be growing and education dwindling. Public discussion, radio programs, and solid NGO efforts, often in conjunction with police and government, are making it harder for traffickers to operate. Arrests of traffickers and complicit parents also serve as a deterrent.

3. (SBU) One NGO, "Associacao de Mulher e Crianca" (the Association for Women and Children, known as AMIC in Portuguese) leads coordination efforts for government, police, and civil society in terms of prevention and helping returned victims find their families, and holding parents accountable to the courts if their children become re-trafficked after participating in the reintegration program. END SUMMARY.

4. (SBU) Responses are keyed to questions in reftel.

Begin TIP report:

PARA 23. THE COUNTRY'S TIP SITUATION

A. Reliable information on trafficking in persons in Guinea-Bissau is difficult to obtain. Few studies have been conducted and data collected by international organizations, NGOs, and the GOGB is incomplete. Local police forces, as well as UNICEF, maintain data on trafficked children intercepted at the border. Courts maintain records on arrests. The International Organization for Migration (IOM) and NGOs maintain data on trafficking victims repatriated to Guinea-Bissau. The GOGB office of the Institute of Women and Children also collects nationwide data.

B. Guinea-Bissau is a country of origin for trafficked children for forced begging, primarily to Senegal and to a lesser extent Mali and Guinea. Children are sent by their parents with a teacher, or someone purporting to represent a teacher, for Koranic studies. Key source areas are the predominantly Muslim areas of Bafata and Gabu in the east. Instead of getting an education, children are

generally forced to beg and remit daily payments of anywhere from 50 cents to one U.S. dollar plus a kilo of rice to the teacher. Failure to meet daily quotas earns severe beatings. Some Koranic schools in Guinea-Bissau also require children to beg in the long-standing tradition of these schools, but with less abuse and more education than they get abroad.

Few studies have been completed on the scope of human trafficking in or from Guinea-Bissau. UNICEF estimates that 200 children are trafficked out of Guinea-Bissau each month. A study by the Senegal-based African Centre for the Advanced Studies in Management released in August, 2008, found that thirty percent of the 8,000 religious students begging on the streets of Dakar are from Guinea-Bissau. In 2008, at least 168 trafficking victims reportedly were intercepted at the Senegalese border on their way to beg on the streets of Dakar. Also in 2008, with the assistance of the Embassy of Guinea-Bissau in Dakar, 63 trafficking victims, who were enduring harsh conditions and forced begging on the streets of Dakar, were repatriated to Guinea-Bissau.

1C. Living conditions for trafficked children on the streets of Senegal's cities can be heartbreaking. Victims frequently roam the streets barefoot in tattered rags, their skin rife with sores and lesions. Children who cannot raise the daily payment are beaten so severely that they often don't return, choosing to sleep in the street rather than face punishment. It is common for families to go years without receiving any word from children. Some children seek help from NGOs, neighborhood women whom they adopt as mother figures, or the Bissau-Guinean Embassy in Dakar. Others simply walk back to Guinea-Bissau. Many make a go of it on their own, living in abandoned buildings and making do with begging as a profession.

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1D. Boys, the beneficiaries of the purported religious education, are the principle targets of the traffickers. Some girls may be trafficked as well to work as domestic labor in Bissau or Senegal, although there is no reliable evidence of this practice.

1E. Men, often former trafficking victims, from the regions of Bafata and Gabu are the primary traffickers. They may be teachers in Koranic schools, or they may say they are working on behalf of a teacher. In most cases, they are known to communities in which they operate, AMIC, and the police. Some have been photographed by police for the purpose of prevention. They operate in the open, protected by their stature in the Muslim community and the fact that politicians in Guinea-Bissau and Senegal do not have the temerity to confront them. Parents of young children are approached by religious leaders or intermediaries, usually from Guinea-Bissau, and offered the chance to send children for a religious education where they would be taught to read the Koran. Because of traditional links between Islamic communities across borders and the existence of extended families where distant relatives may be considered "uncles," the trafficker is often known to the parents. Also in some cases, children sent away are not wanted any longer, especially in the case of a second marriage where the new wife does not want to raise her husband's children with a first wife. The primary route to Senegal is through the town of Pirada, where there are police and migration controls. Another key exit point is the town of Sao Domingos in the west. Almost all traffic is overland, reportedly by foot, taxi, or animal-driven carts to the border. Non-vehicular traffic can easily avoid border outposts by using foot trails through the bush. Border guards are aware of the problem and, according to the leading national NGO on trafficking, AMIC, cooperate on interdiction and repatriation. Yet remoteness, low salaries that are sometimes unpaid for months at a time, and respect for Koranic teachers makes guards vulnerable to bribes.

PARA 24 SETTING THE SCENE FOR THE GOVERNMENT'S ANTI-TIP EFFORTS

1A. The GOGB readily acknowledges that trafficking is a problem in the country. The Government contributes eight million CFA francs (CFAF) (about USD 16,000) per year to the operating budget of AMIC, the country's strongest advocate in fighting trafficking of

children.

¶B. Political will exists to assist victims and prevent trafficking through raising awareness, especially in key institutions such as the government's Institute of Women and Children, the Department of Justice, the Foreign Ministry, and among individuals throughout the police force. An inter-ministerial committee, chaired by President of Institute of Women and Children, meets regularly in an effort to coordinate the GOGB and civil society response.

¶C. The GOGB faces constraints in its ability to tackle the popular tradition of sending boys away from home to get a religious education. Porous borders make it easy for the traffickers to evade detection. Local law enforcement officers lack vehicles and gas to patrol the borders. Civil servants, including police and border guards, are frequently not paid for months at a time, making them vulnerable to bribes. In the absence of a specific law criminalizing trafficking, prosecutors rely on other related statutes such as kidnapping. However, the country has no operational prison and only ad hoc detention facilities, further eroding the already limited capacity of the judicial system. National coordination efforts were hampered by the August 2008 dissolution of the government and National Assembly and the August and November attempted coups. A new government was installed in January 2009.

¶D. The GOGB does not make systematic efforts and does not publish assessments of its performance. A police inspector under the auspices of the Ministry of Interior has official responsibility for coordinating the government enforcement response and cooperation with UNICEF, but these efforts are poorly organized.

PARA 25. INVESTIGATION AND PROSECUTION OF TRAFFICKERS

¶A. Since the last report, the National Assembly drafted legislation specifically prohibiting trafficking in persons. However, the legislation was not adopted before the National Assembly was dissolved in August, 2008. There is no law specifically prohibiting trafficking in people. Other laws are currently being used, although they are weakly applied. Laws against removal of minors, sexual exploitation, abuse, and kidnapping of minors may be used to prosecute trafficking cases. Prostitution is illegal, as is pimping.

¶B. There is no trafficking law, but the law against kidnapping, which may be used in child trafficking, carries a penalty of two to ten years in prison.

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¶C. Guinea-Bissau is not a source or destination country for labor abuses and as such has no specific legislation dealing with the crime. When children are exploited for labor, it is usually through promises of education that traffickers lure them into servitude, not through legitimate offers of employment with contracts.

¶D. The penalty for rape is between one and five years in prison. Sex trafficking is not specifically covered under the law and in fact does not appear to be a widespread problem in Guinea-Bissau.

¶E. During the year, nine people were arrested for trafficking-related offenses; however, there have been no successful prosecutions of traffickers, due largely to systemic failures that pervade the judicial system. Instead, local law enforcement is using the laws in place related to parental responsibilities for child protection to go after parents who send their children with traffickers. Police are keenly aware of their responsibility when it comes to protecting children from traffickers, and they often take appropriate action. In most cases, this involves coordinating with NGOs on repatriations. When these children, known as "talibes," go through the repatriation and reinsertion process, parents are required to sign a contract with the regional court that holds them criminally responsible for the safety of their children if they should be re-trafficked.

¶F. The Government does not provide any special training on trafficking but has said it welcomes any training that foreign governments or international organizations can provide.

¶G. The GOGB, in particular the Bissau-Guinean Embassy in Dakar, works closely with the government of Senegal. Together, they repatriated 63 children to Guinea-Bissau during the reporting period.

¶H. The Government is not prohibited from extraditing its nationals but has no record of being asked to do so for TIP.

¶I. There is no evidence of government involvement in TIP.

¶J. Not applicable.

¶K. Prostitution and associated activities are illegal. Such laws, however, are not strictly enforced.

¶L. Not applicable.

¶M. There is little tourism in Guinea-Bissau, and there are no reports of child sex tourism.

PARA 26. PROTECTION AND ASSISTANCE TO VICTIMS

¶A. Under existing laws, the government can intercept and return victims domestically and repatriate them from abroad. The government can hold the victims indefinitely in transition shelters in order to increase the likelihood of successful family re-integration. No special protections are afforded to witnesses.

¶B. The only care facility expressly for TIP victims is a rented house in Gabu. AMIC pays the rent through its support from international NGOs and the GOGB. AMIC is seeking a permanent solution to this problem. Another care facility, run by SOS Talibe, is under renovation in Bafata.

¶C. SOS Talibe and AMIC provide victims with access to medical and psychological services. Most significant funding comes from abroad, including PRM support to IOM for a regional repatriation and reinsertion program. The Government continues to contribute about USD 16,000 to AMIC's annual operating budget. It cooperates and coordinates closely with IOM, UNICEF, Save the Children (Dakar), SOS Talibe, and other foreign NGOs.

¶D. Guinea-Bissau is not a destination country for foreign victims of trafficking.

¶E. No. SOS Talibe and AMIC provide longer-term shelter as needed, however. SOS Talibe, for example, provided shelter for several months for a trafficking victim repatriated from Senegal. The child was unable to recall the name of the area from where he originated. Upon investigation, care workers suspect that he may have come from Guinea and not Guinea-Bissau as he mistakenly told officials in Senegal.

¶F. The GOGB refers victims to NGOs and international organizations for care.

¶G. UNICEF estimates that there are 200 victims per month. Over the
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course of the year, 168 intercepted victims received care, while another 63 victims repatriated from Senegal received care.

¶H. Not applicable.

¶I. Victims are not punished or persecuted in any way by anyone other than their traffickers.

¶J. Victims are frequently too young to contribute significantly to any prosecution. Family members of the victims, however, are

encouraged to assist in any investigation or prosecution of traffickers. Given the widespread cultural acceptance of the practice of sending young boys away from home for an Islamic education, family members, however, often support the traffickers.

¶K. AMIC provides all training. Government agencies provide full cooperation with AMIC and attend any and all training events.

¶L. As noted above, the Government has no funds to support even a modest victim assistance program. It relies heavily on NGO and international donor support not just for TIP assistance, but for many basic government functions, including payment of civil service salaries. The Bissau-Guinean Embassy in Senegal is a leader in the fight against trafficking. It coordinates closely with NGOs in Senegal and the Red Cross to identify, assist, and repatriate victims. It uses its operating budget to fund assistance efforts and is reimbursed upon justification to the Ministry of Foreign Affairs.

¶M. A non-exhaustive list includes the Red Cross, AMIC, SOS Talibe, RADDHO(Dakar), Save the Children (Dakar), UNICEF, and IOM.

PARA 27. PREVENTION

¶A. The Government contributed to training for religious leaders designed to shed light on the pernicious effects of trafficking.

¶B. The Government does not systematically monitor its borders for TIP, but border guards have been educated by AMIC. Immigration officials described a process they follow when they identify a potential trafficker: they detain the male adults if they cannot prove they are the fathers, contact the police in Gabu, and arrange transportation back to police headquarters in Gabu. Unfortunately, these are barely treated as crimes, and traffickers are generally released while parents are contacted to pick up their children. For example, on Thursday, 17 December, the border guards in Gabu stopped 18 children and 2 traffickers at the border. Unfortunately, the border guards had no means to transport them back to Gabu, so the guards, victims and traffickers spent that night at the border. The next day, the victims were transported to the AMIC center in Gabu.

With a number of security concerns in the country, such as increased international drug trafficking and the urgent need for security sector reform of the bloated, violence-prone military and numerous social problems such as a lack of access to adequate education and health care for most of its citizens, TIP has not surprisingly been low on the priority list. However, even with these other issues, the Government is doing what it can with the few resources it has available to it. The Ministry of Interior has an inspector in charge of crimes against children who is responsible for coordination on law enforcement of TIP and cooperation with UNICEF. The Institute of Women and Children has taken the lead with respect to public awareness and marshaling efforts of the government and the international community. The most effective actors continue to be NGOs and international organizations.

AMIC conducts regular awareness efforts on radio stations in the Gabu area and through tireless visiting of villages in source areas.

Guinea-Bissau's Ambassador to Senegal has also contributed to awareness efforts on the radio. These efforts are aimed at parents in Muslim communities, notifying them of the dangers of sending their children away for Koranic studies. One program aimed at prevention was the creation of evening Koranic studies after the regular school day. A group of religious village elders say they believe this has had a positive impact and they know of many children that come from nearby villages to study at night so they do not have to go as far away as Senegal for the religious education they seek.

¶C. Relevant actors cooperate well and recognize the importance of close coordination. An inter-ministerial committee meets regularly to share information and coordinate activities. AMIC reports that it gets very good cooperation from local police in assisting repatriated children and finding parents. Local police laud the strong work of AMIC to help them monitor villages to ensure victims are not re-trafficked. There is a good understanding of issues and

updated policies by border police and migration officials to stop traffickers from moving children out of the country. AMIC and

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police work with religious and community leaders in the regions of Gabu and Bafata. Even the regional court, which was the biggest gap in the past, has started to play an instrumental role in making the parents understand that they will be held legally accountable if they send their children to beg in a foreign country. This is accomplished by serving as an intermediary to explain child protection laws to parents and requiring them to sign a contract in which parents of returned victims promise not to send their children away again under penalty of jail. AMIC monitors the agreement through visits to kids and one man has been jailed for 72 hours under this system.

1D. A national action plan does not yet exist.

1E. Not applicable.

1F. The GOGB took no such measures.

1G. Not applicable.

15. (U) The TIP officer for Guinea-Bissau, Lance Kinne, who is resident in Dakar, Senegal, can be reached by phone at 221-33-829-2245 and by e-mail at kinnelb@state.gov. Embassy TIP officer spent approximately 40 hours preparing this report.

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